

1043
90

CAUSE NUMBER 2006-52676A

ENTERED

GARNISHER: H. DEAN CUBLEY

Vs.

RUSH #1

In the 333RD
Judicial District Court of
Harris County, Texas

GARNISHEE: EAGLE BROADBAND, INC.

WRIT OF GARNISHMENT AFTER JUDGMENT

STATE OF TEXAS

TO: AMEGY BANK OF TEXAS, BY SERVING IT REGISTERED AGENT LYNN LOVAT, 4400 POST OAK PARKWAY, HOUSTON, TEXAS 77027

Whereas in the 333RD District Court, of Harris County, Texas, in Cause Number. 2006-52676 H. DEAN CUBLEY was Plaintiff, and EAGLE BROADBAND, INC. were Defendants. The Plaintiff, on JUNE 20, 2007 secured a Judgment against said defendants in the amount of \$1,923,052.59 besides interest and cost of suit, has applied for a Writ of Garnishment against you, the said Garnishee;

THEREFORE YOU ARE HEREBY COMMANDED to file a sworn written answer on or before ten o'clock A.M., on the Monday next following expiration of Twenty days from the date of service hereof, then and there to answer upon oath what, if anything, you are indebted to said defendant, and were, when this Writ was served upon you; and

1. What effects, if any of the said defendant you had in your possession, and had when this writ was served.
2. What other persons, if any, within your knowledge, are indebted to the said defendant, or have effects belonging to Said defendant in their possession.

YOU ARE FURTHER COMMANDED not to pay to defendant any debt or to deliver to him any effects pending further order of this court.

TO DEFENDANT:

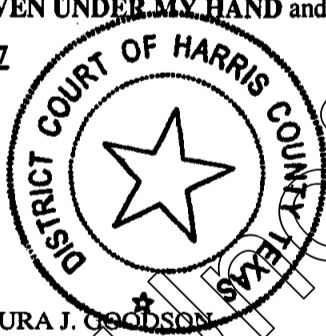
You are hereby notified that certain properties alleged to be owned by you have been garnished. If you claim any rights in such property, you are advised:

"YOU HAVE A RIGHT TO REGAIN POSSESSION OF THE PROPERTY BY FILING A REPLEVY BOND. YOU HAVE A RIGHT TO SEEK TO REGAIN POSSESSION OF THE PROPERTY BY FILING WITH THE COURT A MOTION TO DISSOLVE THIS WRIT."

Herein fail not, but make due answer as the Law directs.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this 9TH day
Of NOVEMBER, 2007

SEAL



THERESA CHANG, District Clerk
Harris County, Texas
201 CAROLINE, Houston, Texas 77002

By: *John Scott*
JOHN SCOTT Deputy District Clerk

Issued at request of LAURA J. GOODSON
1000 LOUISIANA, SUITE 3400
HOUSTON, TEXAS 77002
BAR:24045959

1013a

HARRIS COUNTY TEXAS
NOV 9 9:13 AM '07

FILED
THERESA CHANG
DISTRICT CLERK
HARRIS COUNTY TEXAS
2007 NOV 21 PM 12:12
BY 11-21-07
DEPUTY

Mar-11-13-07-101061300-75.00

CONSTABLE'S RETURN.

Came to hand on the 14th day of November A.D. 2007, at 9:13 o'clock a M., and executed in Harris County, Texas, on the 14th day of November, 2007, at 10:13 o'clock a M., by summoning the Amegy Bank of Texas

a corporation, by delivering to Tom Press in person vice president address of service 4400 Post Oak Parkway 4th Floor Houston, Texas of the said CORPORATION a true copy of this CITATION, together with the accompanying copy plaintiff's original petition.

AFTER ATTEMPTING SERVICE @

Table with 3 columns: DATE, TIME, REMARKS. The table is currently empty.

FEES - Serving 1 cop Y \$75.00

JACK F. ABERCIA Constable, Precinct No. 1, Harris County, Texas

ATTY-NOTIFIED [] VOICE MAIL [] POST CARD SPOKE TO [] ATTORNEY [] OTHER []

By [Signature] 1C43 Deputy

Unofficial Copy

GARDERE

attorneys and counselors ■ www.gardere.com

Laura Goodson
Direct: 713-276-5518
Direct Fax: 713-276-6518
lgoodson@gardere.com

November 13, 2007

VIA MESSENGER DELIVERY

Harris County Constable's Office
Precinct 1
1302 Preston, 3rd Floor
Houston, Texas 77002

Re: Cause No. 2006-52676-A; *H. Dean Cubley v. Eagle Broadband, Inc.*; In the
333rd Judicial District Court of Harris County, Texas
Our File No. 129436.001

Dear Sir or Madam:

Enclosed for service on Amegy Bank of Texas is a Writ of Garnishment After Judgment
along with \$75.00 for your fee.

If you have any questions, do not hesitate to call. Thank you for your attention.

Sincerely,



Laura Goodson

LG:th
Enclosures
959687v1



HARRIS COUNTY, TEXAS

Jack Abercia
Constable, Precinct #1
301 San Jacinto, Suite 310
Houston, TX 77002
713-755-5200

Official Receipt

<u>DATE</u>	<u>CUSTOMER NAME</u>	<u>RECEIPT #</u>	
11/13/07	GARDERE WYNNE SEWELL L.L.P.	C1061300	
GC		AMOUNT 75.00	
<u>PAY TYPE</u>	<u>INVOICE #</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
CH	200652676A	GARNISHMENT	75.00
	GAR-CURLEY VS EAGLE BROADBRAND	10030101530326	

PAID

USER ID: RWESTMOR BATCH ID: L301RWA3